

IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF VIRGINIA  
Lynchburg Division

|                        |   |                     |
|------------------------|---|---------------------|
| IN RE:                 | ) |                     |
|                        | ) |                     |
| BRUCE STUART BOONE, SR | ) | CASE # 24-60405-RBC |
| MEREDITH BOONE,        | ) |                     |
|                        | ) | (Chapter 11)        |
| Debtors                | ) |                     |
| _____                  | ) |                     |

**MOTION TO CONVERT CASE**

Debtors state the following as and for their Motion to Convert this Case under the provisions of 11 USC § 1112:

1. The Debtors filed their voluntary petition under Chapter 11 of the Bankruptcy Code on April 15, 2024. Because Debtors had filed one previous bankruptcy case within the previous year, the automatic stay was in effect for only 30 days.
2. On May 1, 2024 this Court declined to extend the automatic stay beyond the statutory 30 day period. Thus, as of May 16, the stay has ceased to be in effect, and the Debtors have operated as Debtors in possession while being subject to creditor process.
3. The Debtors are in the anomalous and untenable position of having the fiduciary responsibilities of a Debtor in Possession without the ability to protect the estate. They do not currently have sufficient income to formulate a plan.
4. In spite of the obstacles Debtors have faced, they have attempted in good faith to fulfill their responsibilities under the Bankruptcy Code. However, they have come to realize that their Chapter 11 duties have become a hindrance rather than a path to a fresh start. Accordingly, they wish to have the case converted to a case under Chapter 7.

5. Section 1112(a) gives a Chapter 11 debtor the right to convert its case to Chapter 7. Neither Debtor is subject to the exclusionary provisions of that section.

WHEREFORE, for the reasons set forth above, the Debtor respectfully requests that this Court convert this case to a case under Chapter 7 and provide such additional and other relief as it deems appropriate.

/s/ Christopher S. Moffitt  
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*Counsel for Debtor*

*CERTIFICATE OF SERVICE*

I hereby certify that on this 28<sup>th</sup> day of May, 2024, I caused copies of the foregoing application to be transmitted by first class mail on the date and to the parties set forth on a certification to be filed subsequent to the time of this filing.

/s/ Christopher S. Moffitt